

110TH CONGRESS  
1ST SESSION

# H. R. 3490

To transfer administrative jurisdiction of certain Federal lands from the Bureau of Land Management to the Bureau of Indian Affairs, to take such lands into trust for Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2007

Mr. RADANOVICH introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To transfer administrative jurisdiction of certain Federal lands from the Bureau of Land Management to the Bureau of Indian Affairs, to take such lands into trust for Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Tuolumne Me-Wuk  
5       Land Transfer Act of 2007”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

1           (1) the Tuolumne Band of Me-Wuk Indians of  
2           the Tuolumne Rancheria, California (referred to in  
3           this Act as the “Tribe”), is a federally recognized  
4           Indian tribe;

5           (2) 3 tracts of Federal lands managed by the  
6           Bureau of Land Management are adjacent to the  
7           Tuolumne Rancheria of California, a federally recog-  
8           nized Indian Reservation held in trust for the benefit  
9           of the Tribe;

10          (3) one such tract is a cemetery within which  
11          are buried the remains of ancestors of the Tribe and  
12          other Indians;

13          (4) another such tract is needed for use by the  
14          Tribe for a cultural center and other public uses of  
15          the Tribe;

16          (5) the remaining tract is needed for use by the  
17          Tribe for agricultural, housing, and open space  
18          needs;

19          (6) none of the foregoing 3 tracts are to be  
20          used by the Tribe for gaming purposes;

21          (7) certain parcels of lands adjacent to the  
22          Tuolumne Rancheria were taken into trust for the  
23          benefit of the Tribe; and

24          (8) 2 parcels of fee lands owned by the Tribe  
25          and adjacent to the Tuolumne Rancheria, commonly

1 referred to as the “Thomas and Coenenburg prop-  
2 erties”, have been approved and are pending trans-  
3 fer into trust status by the Bureau of Indian Affairs  
4 for the benefit of the Tribe.

5 **SEC. 3. LANDS TO BE TAKEN INTO TRUST.**

6 (a) IN GENERAL.—Subject to valid existing rights,  
7 all right, title, and interest (including improvements and  
8 appurtenances) of the United States in and to the Federal  
9 lands described in subsection (b) are hereby declared to  
10 be held in trust by the United States for the benefit of  
11 the Tribe for nongaming purposes, and shall be subject  
12 to the same terms and conditions as those lands described  
13 in the California Indian Land Transfer Act of 2000 (title  
14 IX, Public Law 106–568; 114 Stat. 2868, 2921). Lands  
15 taken or to be taken in trust by the United States for  
16 the benefit of the Tribe which are described in subsection  
17 (c) of this Act shall be subject to subsection (c) of section  
18 903 of the California Indian Land Transfer Act of 2000.

19 (b) FEDERAL LANDS DESCRIBED.—The Federal  
20 lands described in this subsection, comprising approxi-  
21 mately 66 acres, are as follows:

22 (1) Township 1 North, Range 16 East, Section  
23 6, Lots 10 and 12, MDM, containing 50.24 acres  
24 more or less.

1           (2) Township 1 North, Range 16 East, Section  
2       5, Lot 16, MDM, containing 15.35 acres more or  
3       less.

4           (3) Township 2 North, Range 16 East, Section  
5       32, Indian Cemetery Reservation within Lot 22,  
6       MDM, containing 0.4 acres more or less.

7       (c) TRUST LANDS DESCRIBED.—The trust lands de-  
8       scribed in this subsection, comprising approximately 357  
9       acres, are commonly referred to as follows:

10           (1) Thomas property, pending trust acquisition,  
11       104.50 acres.

12           (2) Coenenburg property, pending trust acquisi-  
13       tion, 192.70 acres, subject to existing easements of  
14       record, including but not limited to a non-exclusive  
15       easement for ingress and egress for the benefit of  
16       adjoining property as conveyed by Easement Deed  
17       recorded July 13, 1984, in Volume 755, Pages 189  
18       to 192, and as further defined by Stipulation and  
19       Judgment entered by Tuolumne County Superior  
20       Court on September 2, 1983, and recorded June 4,  
21       1984, in Volume 751, Pages 61 to 67.

22           (3) Assessor Parcel No. 620505300, 1.5 acres,  
23       trust land.

24           (4) Assessor Parcel No. 620505400, 19.23  
25       acres, trust land.

1           (5) Assessor Parcel No. 620505600, 3.46 acres,  
2       trust land.

3           (6) Assessor Parcel No. 620505700, 7.44 acres,  
4       trust land.

5           (7) Assessor Parcel No. 620401700, 0.8 acres,  
6       trust land.

7           (8) A portion of Assessor Parcel No.  
8       620500200, 2.5 acres, trust land.

9           (9) Assessor Parcel No. 620506200, 24.87  
10      acres, trust land.

11       (d) SURVEY.—Not later than 180 days after the date  
12   of the enactment of this Act, the Office of Cadastral Sur-  
13   vey of the Bureau of Land Management shall complete  
14   a survey of the lands described in subsections (b) and (c)  
15   for the purpose of incorporating those lands within the  
16   boundaries of the Tuolumne Rancheria.

17       (e) LEGAL DESCRIPTIONS.—

18           (1) PUBLICATION.—On approval by the Com-  
19   munity Council of the Tribe of the survey completed  
20   under subsection (d), the Secretary of the Interior  
21   shall publish in the Federal Register—

22           (A) a legal description of the new bound-  
23   ary lines of the Tuolumne Rancheria; and

24           (B) a legal description of the land surveyed  
25   under subsection (d).

1           (2) EFFECT.—Beginning on the date on which  
2           the legal descriptions are published under paragraph  
3           (1), such legal descriptions shall be the official legal  
4           descriptions of those boundary lines of the Tuolumne  
5           Rancheria and the lands surveyed.

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